

### **Remarks/Arguments**

Claims 1-15 are pending and are rejected.

Claims 1-2, 6-7, and 11-15 are amended. Claims 13-15 are amended to conform to changes made to claim 11.

### **Claim Rejections - 35 U.S.C. § 102 (claims 1, 3, 5-6, 8, and 10) and § 103(a) (claims 2 and 7)**

The Office Action rejects claims 1, 3, 5-6, 8, and 10 under 35 U.S.C. § 102(e) as being anticipated by US 6,173,112 ("Gruse") and claims 2 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Gruse in view of US 6,311,011 ("Kuroda").

Responsively, applicant has amended independent claims 1 and 6 to more particularly point out and distinctly claim the subject matter that applicant regards as the invention, and submits that Gruse does not anticipate amended independent claims 1 and 6, and dependent claims 2-5 and 7-10, and these claims are patentable over Gruse in view of Kuroda for the reasons discussed below.

Claim 1 is amended to incorporate the feature recited in claim 2, and to recite that the video apparatus displays a menu providing two choices if the selected program is already in progress: record a later occurrence or the remaining portion of the selected program. Support for the displaying feature can be found, for example, on FIG. 2A. In particular, amended claim 1 recites a method for processing program data for recording a program listed in a program guide, comprising the steps of:

*receiving, by a video apparatus, program data;*

*receiving, by the video apparatus, selection of the program;*

*receiving, by the video apparatus, a request for recording of the selected program, during a display of the program guide; and*

*determining, by the video apparatus, whether the selected program is already in progress, and if the selected program is already in progress, displaying a menu providing a first choice to record a later occurrence of the selected program so that the entire selected program may be recorded and a second choice to record a remaining portion of the selected program in progress.*

Applicant submits that Gruse and Kuroda, considered singly and in combination, do not disclose or suggest the step of displaying a menu providing a first choice to record a later occurrence of the selected program so that the entire selected program may be recorded and a second choice to record a remaining portion of the selected program in progress, if the selected program to be recorded is already in progress, as recited in amended claim 1.

As admitted in the Office Action on item 5, Gruse fails to teach providing a choice to record the remaining portion of the selected program in progress, and relies on Kuroda to cure the defect. As such, Gruse fails to teach the step of displaying a menu providing a first choice to record a later occurrence of the selected program and a second choice to record a remaining portion of the selected program in progress.

Applicant submits that Kuroda also does not disclose or suggest this displaying feature.

Kuroda discloses a video recorder/player for recording video signals and for displaying electronic program guide. The video recorder/player records into a temporary storage device 103 contents for a predetermined time, or predetermined number of programs, of at least one channel without viewer's intention. See col. 2, lines 1-4, and col. 4, lines 20-24. Consequently, the viewer can always watch a current

broadcast program from the beginning even if the viewer starts to watch in the middle of the program time. See col. 2, lines 6-8. When the amount of programs recorded to the temporary storage device 103 overflows in comparison with time or number of programs predetermined by the viewer, a temporary recording controller 104 deletes the oldest contents from the temporary storage device 103. See col. 4, lines 32-37.

The video recorder/player can also store content signals to a storage device 105 according to a viewer's intention. See col. 4, lines 38-39. Unlike the recording in the temporary storage 103, a program recorded in the storage device is not deleted without a direction from the user. See col. 4, lines 47-49.

In one embodiment, when a viewer directs the video recorder/player to record a current program, the video recorder/player records the content signals of the program to the temporary storage device 103. See col. 5, lines 12-16. The video recorder/player then displays a dialogue screen like FIG. 4 for indicating a channel number, passage of time, and user-selectable finish time to record. See FIG. 4, and col. 5, lines 17-21. The video recorder/player then displays a dialog screen like FIG. 5 for the viewer to select a storage device belonging to the storage device 105. See col. 5, lines 26-33. After one storage device in the storage device 105 has been selected, the video recorder/player starts recording content signals to the selected storage device, and moving the content signals recorded to the temporary storage device 103 to the selected device in the storage device 105.

Thus, Kuroda teaches having a viewer selecting one of the storage devices to record a currently airing program, but does not disclose or suggest that the video recorder/player performs the step of displaying a menu providing a first choice to record a later occurrence of the selected program so that the entire selected program may be

recorded and a second choice to record a remaining portion of the selected program in progress, if the selected program to be recorded is already in progress, as recited in amended claim 1.

Thus, Gruse and Kuroda, considered singly and in combination, do not disclose or suggest the step of displaying a menu providing a first choice to record a later occurrence of the selected program so that the entire selected program may be recorded and a second choice to record a remaining portion of the selected program in progress, if the selected program to be recorded is already in progress, as recited in amended claim 1. As such, amended claim 1, and dependent claims 2-4, are not anticipated by Gruse and are patentable over Gruse in view of Kuroda.

Furthermore, claim 2 is amended to recite the feature of generating a reminder message reminding a user to record the selected program if the request for recording has not been received. Nowhere do Gruse and Kuroda disclose or suggest such a feature. As such, claim 2 is patentable over these two references for this reason alone.

Independent claim 6 is amended to incorporate similar features recited in claim 1. As such, the arguments made above with respect to amended claim 1 are also applicable to amended claim 6, and amended claim 6, and dependent claims 7-10, are patentable over the two references.

Furthermore, amended claim 7 recites similar features as recited in amended claim 2. As such, claim 7 is patentable for similar reasons discussed above with respect to amended claim 2.

#### **Claim Rejections - 35 U.S.C. § 103(a)**

a) Claims 11, 13, and 15

Responsive to the rejection of claims 11, 13, and 15 under 35 U.S.C. §103(a) as being unpatentable over Gruse in view of EP 0774868 A1 ("Maze"), applicant has amended claim 11 to more particularly point out and distinctly claim the subject matter that applicant regards as the invention, and submits that amended claim 11, and dependent claims 13 and 15, are patentable over these two references, as discussed below.

Amended claim 11 recites a method for recording a program listed in a channel guide formed by program data for programs received by a video apparatus, the method comprising the steps of:

*receiving a user search request;*

*performing a search of said program data for a match to said user search request;*

*determining, if the matched program data is found, whether a record request has been entered and whether a first program associated with said found program data is in progress;*

*if said first program is already in progress and the record request has been entered, displaying a menu offering a first choice to record a later occurrence of the first program so that the entire first program may be recorded and a second choice to record a remaining portion of the first program in progress.*

Applicant submits that Gruse and Maze, considered singly and in combination, do not disclose or suggest the step of determining, if a matched program data is found, whether a record request has been entered and whether a first program associated with said found program data is in progress, and the step of displaying a menu offering a first choice to record a later occurrence of the first program so that the entire first

program may be recorded and a second choice to record a remaining portion of the first program in progress if said first program is already in progress and the record request has been entered.

As discussed above with respect to claim 1, Gruse fails to teach providing a choice to record the remaining portion of a program in progress, as admitted in the Office Action on item 5. As such, Gruse fails to teach the step of displaying a menu offering a first choice to record a later occurrence of a first program so that the entire first program may be recorded and a second choice to record a remaining portion of the first program in progress if said first program is already in progress and the record request has been entered, as recited in amended claim 11.

Gruse also does not disclose or suggest the step of determining, if a matched program data is found, whether a record request has been entered and whether a first program associated with said found program data is in progress, as recited in amended claim 11. In fact, the receiver/recorder unit in Gruse receives only a record request. It does not disclose or suggest a separate search request, as recited in amended claim 11. See col. 2, lines 60-67. As such, such a determining step is not needed in the receiver/recorder disclosed in Gruse.

Maze discloses a television system that provides searching apparatus for a user to search specific user-entered information in a channel guide listing. See the Abstract. However, nowhere does Maze disclose or suggest the step of determining, if a matched program data is found, whether a record request has been entered and whether a first program associated with said found program data is in progress, and the step of displaying a menu offering a first choice to record a later occurrence of the first program so that the entire first program may be recorded and a second choice to record a

remaining portion of the first program in progress if said first program is already in progress and the record request has been entered, as recited in amended claim 11.

In light of the fact that Gruse and Maze, considered singly and in combination, do not disclose or suggest the determining step and the displaying step, as recited in amended claim 11, applicant submits that amended claim 11, and dependent claims 13 and 15, are patentable over Gruse and Maze.

b) Claims 4 and 9

Responsive to the rejection of claims 4 and 9 under 35 U.S.C. §103(a) as being unpatentable over Gruse in view of US 5,543,933 ("Kang"), applicant submits that these claims are patentable over the references for their respective dependence from amended claims 1 and 6.

Kang fails to cure the defect of Gruse as applied to amended claims 1 and 6. Kang discloses a reserve recording method and apparatus for VCR. FIG. 7 shows a flowchart illustrating a process of setting the reserve-recording program. The VCR calculates the total reserve-recording time of the pre-reserved recording program and the remaining time of the VCR tape, and displays or voices the time that the total reserve-recording time has exceeded the remaining time, as shown in FIG. 8a, or the time available for further reservation, as shown in FIG. 8b. See col. 10, lines 42-56. However, nowhere does Kang disclose or suggest the feature of displaying a menu providing a first choice to record a later occurrence of the selected program and a second choice to record a remaining portion of the selected program in progress, as recited in amended claims 1 and 6.

c) Claim 14

Responsive to the rejection of claim 14 under 35 U.S.C. §103(a) as being unpatentable over Gruse in view of Maze as applied to claim 11, further in view of Kang, applicant submits that claim 14 is patentable over the references for its dependence from amended claim 11.

Kang fails to cure the defect of Gruse and Maze as applied to amended claim 11. Nowhere does Kang disclose or suggest the step of determining, if a matched program data is found, whether a record request has been entered and whether a first program associated with said found program data is in progress, and the step of displaying a menu offering a first choice to record a later occurrence of the first program so that the entire program may be recorded and a second choice to record a remaining portion of the first program in progress if said first program is already in progress and the record request has been entered, as recited in amended claim 11.

### **Conclusion**

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

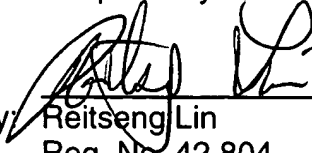
### **Fee**

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.





Respectfully submitted,

  
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### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

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